



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

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VIA ELECTRONIC MAIL

July 3, 2013

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**RE: *In the Matter of Cotter Corporation (NSL), and Laidlaw Waste Systems (Bridgeton), Inc. and
Rock Road Industries, Inc. and the U.S. Department of Energy
Administrative Order on Consent, EPA Docket No. VII-93-F-0005***



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Dear Counsel:

This is a summary of matters EPA discussed with you as the representatives of the West Lake PRP group, when we met on June 25, 2013 in Bridgeton, Missouri. During our meeting, EPA identified additional work the agency considers necessary at the West Lake Landfill Site, and we heard from you a willingness to perform such work. Specifically, EPA identified three action items. EPA considers all these tasks to fall within the meaning of additional work, referenced in Paragraph 51 of the above-captioned Consent Order.

Expansion of the Risk Analysis in the Supplemental Feasibility Study

EPA requested that you expand the risk analysis section of the SFS to include risks associated with a subsurface smoldering event reaching Operable Unit 1 from the Bridgeton Landfill area (OU 2) or originating from OU 1. EPA is interested in a qualitative assessment that takes into account how a design would address the presence of an SSE, should one occur. In addition, at the public meeting held during the evening of June 25th, a member of the public raised a question about the effect a tornado could have on the site. EPA requests that you also include a discussion of the effects of a tornado on the integrity of the remedial action to be taken. Again, the agency is interested in a qualitative assessment. EPA asks that you provide a workplan and schedule for completion of this expanded risk analysis. This qualitative assessment should also include a discussion of ARARs associated with a tornado and an SSO. Consistent with procedures in the Consent Order, EPA will approve or modify the schedule proposed.

Migration of Data to EQuIS®

EPA indicated its interest in migrating all data concerning the West Lake Landfill Site to the database known as EQuIS. You indicated a willingness to perform this work. EPA requests that the PRP group perform this task in phases as follows:

- Convert all PRP data relating to OU 1 to EQuIS
- Convert all PRP data relating to OU 2 to EQuIS
- Convert all historical data generated by third parties, such as NRC, DOE, University of Missouri – Columbia, to EQuIS

The agency requests that you propose a timeline to complete each phase, with the goal of accomplishing this task as soon as possible. EPA will approve or modify the schedule proposed.

Submittals Required by First Agreed Order of Preliminary Injunction *State of Missouri vs. Republic Services, Inc. et al.*, Case No. 13SL-CC01088

Under the above-captioned Agreed Order with the state of Missouri which addresses the Bridgeton Landfill, the defendants are submitting deliverables to MDNR. EPA requests that the submittals listed in Exhibit B to the Agreed Order be submitted to EPA concurrently.

I have attached to this letter the sign in sheet from our meeting and ask that you forward it to the parties who are not addressees to this letter. As required by paragraph 51 of the Consent Order, please provide written confirmation that you will perform the tasks described in this letter within seven days of receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Audrey B. Asher". The signature is fluid and cursive, with the first name "Audrey" being more prominent than the last name "Asher".

Audrey B. Asher
Senior Counsel

cc: Kathryn Macdonald, DOJ-EES
Dan Gravatt, SUPR
Jessica Blome, MO AG
Shawn Muenks, MDNR

enclosure